IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 2ND JANUARY 2007 / 12TH POUSHA 1928

Bail Appl..No. 7694 of 2006()

CRIME NO. 575/06 OF CHENGAMANAD POLICE STATION

PETITIONER

BIBU PAUL, AGED 20, S/O. GOPI,
KOPRAPURAYIL HOUSE, NEAR U.C.COLLEGE,
VELIYATHUNADU, ALUVA.

BY ADV. SRI.RAJIV NAMBISAN

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 7694 of 2006

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DATED: 02-01-2007

O R D E R

Petitioner who is the 12th accused in Crime No. 575/06 of Chengamanad Police Station for an offence punishable under Section 395 read with Sec. 34 I.P.C., seeks his enlargement on bail. The occurrence took place on 9-10-2006 and the petitioner was arrested on 21-10-2006.

2. The case of the prosecution is that on 9-10-2006 at 3 p.m. while the de facto complainant was proceeding to Kochi International Airport in a car with gold ornaments weighing 14 kgms. meant for export, the petitioner along with other accused persons intercepted and robbed him off the gold ornaments and also took away the Qualis Motor Car in which the de facto complainant was travelling.

3. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in Crime No. 102/05 of Kallukkadu Police Station for various offences including one punishable under Sec. 308 I.P.C.

4. Even though the other accused have been granted bail, having regard to the criminal antecedents of the petitioner, I am not

inclined to grant bail to the petitioner at this stage of investigation, particularly when about 9 kgms. of the lost gold ornaments is yet to be recovered by the investigating agency.

This Bail Application is accordingly dismissed.

Sd/-V.RAMKUMAR,
JUDGE.

ani.

/true copy/

P. A. to Judge.